

EXHIBIT 1
TO DECLARATION
OF CHAD DROWN



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Ex Parte Reexamination Filing Data - June 30, 2006

1. Total requests filed since start of ex parte reexam on 07/01/81.....8084

a. By patent owner	3313	41%
b. By other member of public	4606	57%
c. By order of Commissioner	165	2%

2. Number of filings by discipline

a. Chemical Operation	2496	31%
b. Electrical Operation	2608	32%
c. Mechanical Operation	2980	37%

3. Annual Ex Parte Reexam Filings

Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.
1981	78 (3 mos.)	1989	243	1997	376	2005	524
1982	187	1990	297	1998	350	2006	340
1983	186	1991	307	1999	385		
1984	189	1992	392	2000	318		
1985	230	1993	359	2001	296		
1986	232	1994	379	2002	272		
1987	240	1995	392	2003	392		
1988	268	1996	418	2004	441		

4. Number known to be in litigation.....1895 23%

5. Determinations on requests.....7852

a. No. granted.....7160 91%

(1) By examiner	7054
(2) By Director (on petition)	106

b. No. denied 692 9%

(1) By examiner	657
(2) Order vacated	35

6.	Total examiner denials (includes denials reversed by Director).....	763			
a.	Patent owner requester	430	56%		
b.	Third party requester	333	44%		
7.	Overall reexamination pendency (Filing date to certificate issue date)				
a.	Average pendency	22.8 (mos.)			
b.	Median pendency	17.6 (mos.)			
8.	Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiated	Overall
a.	All claims confirmed	23%	29%	13%	26%
b.	All claims cancelled	7%	12%	19%	10%
c.	Claims changes	70%	59%	68%	64%
9.	Total ex parte reexamination certificates issued (1981 - present).....	5433			
a.	Certificates with all claims confirmed	1410	26%		
b.	Certificates with all claims canceled	554	10%		
c.	Certificates with claims changes	3469	64%		
10.	Reexam claim analysis - requester is patent owner or 3rd party; or Comm'r initiated.				
a.	Certificates _ PATENT OWNER REQUESTER.....	2360			
(1)	All claims confirmed	543	23%		
(2)	All claims canceled	174	7%		
(3)	Claim changes	1643	70%		
b.	Certificates _ 3rd PARTY REQUESTER.....	2934			
(1)	All claims confirmed	849	29%		
(2)	All claims canceled	353	12%		
(3)	Claim changes	1732	59%		
c.	Certificates _ COMM'R INITIATED REEXAM	139			
(1)	All claims confirmed	18	13%		
(2)	All claims canceled	27	19%		
(3)	Claim changes	94	68%		